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PLEASE REPLY TO :

October 14, 2005

[New Castle County-Civil Division]

Mr. Sherman A. Carter
2900 Jefferson Street
Wilmington, DE 19802

Re: Carter v. Taylor, et al.
C.A. No. 99-757-JJF

Dear Mr. Carter:

This letter confirms our recent telephone conversation. At that time, you expressed a desire to obtain a copy of the Inmate Grievance Procedure for the Delaware Correctional Center.

Please be advised that I have considered your request in light of both the Federal Rules of Civil Procedure and the current status of your pending lawsuit. As you may already be aware, the Court has rescheduled the Pre-Trial Conference for December 1, 2005 commencing at 11:00 a.m. The trial itself has been rescheduled to commence on January 9, 2006.

In light of the above and given the Court's previous Scheduling Order governing such matters as deadlines for the completion of discovery, submission of pretrial case dispositive motions, etc., it appears that your recent request is an attempt to re-open discovery for your benefit. My review of your earlier discovery requests failed to uncover a previous request for the Inmate Grievance Procedure. Indeed, your deposition testimony (as I pointed out during our recent telephone conversation) seems to indicate that you were familiar with this procedure, given your prior participation in the process.

Accordingly, I am reluctant to re-open the discovery process in violation of the Court's earlier mandate. However, if you can point to the previously filed discovery request specifically seeking this information, I will be more than happy to comply.

Mr. Sherman A. Carter
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Thank you for your cooperation. I await your response.

Very truly yours,



Stuart B. Drowos
Deputy Attorney General

SBD/lc

Cc: Aaron Goldstein, DAG
Clerk of the United States District Court